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Remarks/Arguments:

Reconsideration of the application as amended is requested.

The Examiner's remarks and cited references have been received and carefully considered. Originally presented claims 5, 6 and 35-67 inclusive have been canceled without prejudice, and original claims 1-4, 7-34 and 68-76 have been amended.

With reference to the Examiner's election/restriction requirement, withdrawn claims 35-67 have now been canceled without prejudice. Applicant reserves the right to file a divisional application on the withdrawn claims.

In response to the Examiner's rejection of the original claims under 35 U.S.C. § 112, the same have been amended to remove all improper uses of the term "means" in conjunction with the various claim elements. Applicant believes that the amended claims presented herein are definite and in full compliance with the provisions of 35 U.S.C. § 112 (second paragraph).

Applicant notes with appreciation the Examiner's comment that claims 5-6, 8-34, 69-70 and 72-73 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Also noted with appreciation is the Examiner's comment that original claims 8-34 and 69-70 would be allowable if rewritten to overcome the § 112 (second paragraph) rejections. Claim 1 has been amended to include those features set forth in original claims 5 and 6, and is therefore believed to

be in condition for immediate allowance, along with dependent claims 2-4, 7-34 and 68-76 for

those reasons the Examiner deemed original claims 5 and 6 to be allowable.

Submitted herewith is a Supplemental Information Disclosure Statement which identifies

two new references which recently came to the attention of Applicant. As previously noted by

the Examiner, the cited Taboada Patent 4,443,696 neither discloses or anticipates a method for

establishing a light beam with substantially constant luminous intensity wherein the light beam is

attenuated in a synchronous way with respect to periodic intensity variations of the light beam.

Furthermore, Applicant's amended claim 1 distinguishes over the newly submitted Vanlier

Patent Document WO 01/49041, which discloses in Figs. 2A and 2B, a control unit that is set for

an increase of time period (10), which equals the time period needed for one third of a rotation of

a color wheel (4). As a consequence, a first current pulse leads to a light pulse (13) when a red

segment of the color wheel is in front of the respective light source. Corresponding light

intensity peaks (14, 16) are periodically generated, which coincide with the green or blue

segments of the color wheel, respectively. In this way, a homogeneous color spectrum can be

maintained in the fashion disclosed in the Vanlier '041 reference. However, this arrangement is

not similar to the method set forth in Applicant's amended claim 1, which incorporates a variable

attenuation that is proportional to the magnitude of the difference between the luminous intensity

floor and the luminous intensity peak. Consequently, Applicant asserts that amended claim 1 is

patentable over the newly cited Vanlier '041 patent, as well as the remaining references of record.

For those reasons set forth above, Applicant asserts that pending claims 1-4, 7-34 and 68-76 are in condition for immediate allowance, for those reasons the Examiner deemed original claims 5-6 allowable, and a notice to this effect is earnestly solicited.

Respectfully submitted,

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